



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

October 7, 2021

OFFICE OF MISSION SUPPORT

The Honorable James Lankford
Ranking Member
Subcommittee on Government Operations
and Border Management
Committee on Homeland Security and
Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Richard Burr
Ranking Member
Committee on Health, Education, Labor,
and Pensions
United States Senate
Washington, DC 20510

The Honorable Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security and
Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Rand Paul, M.D.
Ranking Member
Subcommittee on Emerging Threats and Spending
Oversight
Committee on Homeland Security and
Governmental Affairs
Committee on Health, Education, Labor,
and Pensions
United States Senate
Washington, DC 20510

The Honorable Mitt Romney
Committee on Health, Education, Labor,
and Pensions
Committee on Homeland Security and
Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Mike Braun
Ranking Member
Subcommittee on Employment and Workplace
Safety
Committee on Health, Education, Labor,
and Pensions
United States Senate
Washington, DC 20510

Dear Senators Lankford, Burr, Johnson, Paul, Romney, and Braun:

Thank you for your July 29, 2021 letter to the U.S. Environmental Protection Agency regarding the use of employee official time to perform representational work on behalf of federal employee unions.

On January 22, 2021, President Biden issued Executive Order 14003, "*Protecting the Federal Workforce*," affirming that career civil servants are the backbone of the federal workforce, providing expertise and experience necessary for the critical functioning of the federal

government. EO 14003 established that “[i]t is the policy of the United States to protect, empower, and rebuild the career federal workforce” and revoked several Executive Orders issued under the previous Administration, including Executive Order 13837. This required the EPA to rescind provisions of negotiated collective bargaining agreements implemented because of EO 13837 and other Executive Orders issued by former President Trump. To implement EO 14003, the Agency reviewed its union agreements to eliminate the influence of the Trump Executive Orders. The Agency has since worked to reset and repair its damaged relationship with its unions. The Agency hopes to involve the unions in a collaborative way to achieve the EPA’s and unions’ shared goals of the positive and equitable treatment of EPA employees.

As detailed further in President Biden’s Executive Order 14025, “*Executive Order on Worker Organizing and Empowerment*,” issued April 26, 2021, it is the policy of the Biden-Harris Administration to encourage worker organizing and collective bargaining. Executive Order 14025 establishes a White House Task Force on Worker Organizing and Empowerment and directs the Task Force to make a set of recommendations within 180 days addressing two key issues. First, how can existing policies, programs, and practices be used to promote worker organizing and collective bargaining in the federal government? And second, where are new policies needed to achieve the Task Force’s mission and what are the associated regulatory and statutory changes needed? As a member of the Task Force, EPA Administrator Michael Regan is working to promote these policies at the Agency.

The Agency’s workforce is represented by five labor unions. Each labor union has a collectively bargained agreement with the Agency. All the agreements allow for union representatives to utilize official time that is reasonable and in accordance with all applicable laws, consistent with the Federal Service Labor-Management Relations Statute. The Agency continues to take unprecedented strides to repair its relationship with our labor partners in the interest of ensuring equity amongst our workforce.

Thank you again for your letter. If you have any questions, please contact me or Kristien Knapp in the Office of Congressional and Intergovernmental Relations at Knapp.Kristien@epa.gov or (202) 564-3277.

Sincerely,

Lynnann Hitchens
Acting Principal Deputy Assistant Administrator